

ASSEMBLY BILL

No. 195

**Introduced by Assembly Member Roger Hernández
(Coauthor: Assembly Member Allen)**

January 27, 2011

An act to repeal and add Section 3506 of the Government Code, relating to local public employee organizations.

LEGISLATIVE COUNSEL'S DIGEST

AB 195, as introduced, Roger Hernández. Local public employee organizations.

The Meyers-Milias-Brown Act provides for the representation of local public employees by employee organizations and for the execution of memoranda of understanding between those organizations and local public agencies. The act prohibits a public agency or an employee organization from, among other things, intimidating, coercing, or discriminating against employees because they have chosen to join, or not join, an employee organization.

This bill would delete that prohibition and would instead prohibit a public agency from, among other things, imposing reprisals on or discriminating against employees because of their exercise of rights guaranteed by the act, refusing or failing to meet and negotiate in good faith with a recognized employee organization, or refusing to participate in good faith in an applicable impasse procedure.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3506 of the Government Code is repealed.
2 ~~3506. Public agencies and employee organizations shall not~~
3 ~~interfere with, intimidate, restrain, coerce or discriminate against~~
4 ~~public employees because of their exercise of their rights under~~
5 ~~Section 3502.~~

6 SEC. 2. Section 3506 is added to the Government Code, to
7 read:

8 3506. A public agency shall not do any of the following:

9 (a) Impose or threaten to impose reprisals on employees, to
10 discriminate or threaten to discriminate against employees, or
11 otherwise to interfere with, restrain, or coerce employees because
12 of their exercise of rights guaranteed by this chapter. For purposes
13 of this subdivision, “employee” includes an applicant for
14 employment or reemployment.

15 (b) Deny to employee organizations the rights guaranteed to
16 them by this chapter.

17 (c) Refuse or fail to meet and negotiate in good faith with a
18 recognized employee organization. For purposes of this
19 subdivision, knowingly providing a recognized employee
20 organization with inaccurate information, whether or not in
21 response to a request for information, constitutes a refusal or failure
22 to meet and negotiate in good faith.

23 (d) Dominate or interfere with the formation or administration
24 of any employee organization, contribute financial or other support
25 to any employee organization, or in any way encourage employees
26 to join any organization in preference to another.

27 (e) Refuse to participate in good faith in an applicable impasse
28 procedure.